

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: Denise J. Rhoades	:	Case No: 15-01495
Mickey R. Rhoades	:	
Debtors	:	
	:	Chapter 13
Wells Fargo Bank, N.A.	:	
Movant	:	
v.	:	
	:	
Denise J. Rhoades	:	
Mickey R. Rhoades	:	
Respondents	:	
Charles J. DeHart, III	:	
Trustee	:	

**DEBTORS' ANSWER TO MOVANT'S MOTION FOR RELIEF
FROM AUTOMATIC STAY**

AND NOW, come the Respondents, Denise J. Rhoades and Mickey R. Rhoades, by and through their attorney, Michael R. Caum, Esquire, to file an Answer to Movant's Motion for Relief from Automatic Stay, and in support thereof, aver the following:

1. Admitted.
2. Admitted.
3. Admitted.
4. Denied. The "Mortgage" speaks for itself. To the extent that Movant's characterizations of the Mortgage vary from its contents, all such characterizations are denied. Strict proof is demanded at trial.
5. Denied. Paragraph 5 contains conclusions of law to which no response is required and accordingly such conclusions of law are denied.

6. Admitted in part, denied in part. It is admitted debtors did not remit all post-petition mortgage payments, but movant will be paid in full through the sale of property which is scheduled for settlement September 2019.

7. Admitted.

8. Denied. Paragraph 8 contains conclusions of law to which no response is required and accordingly such conclusions of law are denied.

9. Denied. Debtor is without sufficient knowledge to form a belief as to the truth of Movant's intentions if the automatic stay is modified, the case dismisses, and/or the Debtor obtains a discharge. Debtor is without sufficient knowledge to form a belief as to the status of the ownership of the Note and Mortgage. As such, all averments in paragraph 8 are denied.

10. Denied. Paragraph 10 contains conclusions of law to which no response is required and accordingly such conclusions of law are denied.

WHEREFORE the Respondents, Denise J. Rhoades and Mickey R. Rhoades, request this Honorable Court to:

- (a) Deny all relief requested in Movant's Motion; and,
- (b) Award any and all relief this Honorable Court deems just.

Respectfully Submitted,

Date: 8/26/2019

/s/ Michael R. Caum
Michael R. Caum, Esquire
P.O. Box 272
Shrewsbury, PA 17361
(717) 227-8039
Attorney for Respondents

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: Denise J. Rhoades	:	Case No: 15-01495
Mickey R. Rhoades	:	
Debtors	:	
	:	Chapter 13
Wells Fargo Bank, N.A.	:	
Movant	:	
v.	:	
	:	
Denise J. Rhoades	:	
Mickey R. Rhoades	:	
Respondents	:	
Charles J. DeHart, III	:	
Trustee	:	

CERTIFICATE OF SERVICE

I, Michael R. Caum, Esquire, Attorney for Respondents, hereby certify that this day I served a copy of the foregoing document upon the persons indicated below by electronic service to:

Brian C. Nicholas, Esquire
BNicholas@kmlawgroup.com

Charles DeHart, Esq.
dehartstaff@pamd13trustee.com

United States Trustee
ustpreion03.ha.ecf@usdoj.gov

Date: 8/26/2016

/s/ Michael R. Caum
Michael R. Caum, Esquire
P.O. Box 272
Shrewsbury, PA 17361
(717) 227-8039
Attorney for Respondents